

Memorandum 2022-6

**Stock Cooperatives and Revocable Transfer on Death Deeds:
Enforcement of Unrecorded Interests**

At its December 2021 meeting, the Commission¹ considered Memorandum 2021-62 and its First Supplement, which discussed whether existing Probate Code Section 5652(b) should be revised to limit its recordation requirement, either by creating a narrow exception for property use restrictions in a stock cooperative, or by eliminating the requirement altogether.

The Commission decided that it would like to hear from the California Land Title Association and other subject matter experts before making a final decision on that issue.

Rather than restating the substance of Memorandum 2021-62 and its First Supplement in this memorandum, Commissioners and interested persons should reread that memorandum and its supplement as preparation for the upcoming January meeting.

Respectfully submitted,

Brian Hebert
Executive Director

1. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission's website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.